

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

**TOMAS LORENZO PEREZ,
Defendant.**

Criminal No. 97-190 (SEC)

**UNITED STATES' RESPONSE TO DEFENDANT'S DEMAND FOR
PRODUCTION OF STATEMENTS, RECORDS AND MOTION FOR
DISCLOSURE OF GRAND JURY MATERIAL**

TO THE HONORABLE COURT:

COMES NOW the United States of America, through the undersigned attorneys, and very respectfully states and prays as follows:

1. On June 29, 2007, the defendant, Tomás Lorenzo Pérez, filed a Demand for Production of Statements, Records and Motion for Disclosure of Grand Jury Material.

2. The defendant argues that an unnamed special agent of the government deliberately gave inconsistent statements to the Grand Jury to obtain the indictment. Thus, the defendant requests that the government produce statements, records and Grand Jury material pursuant to the Rules of Evidence and the Jencks Act.

3. The documents requested by the defendant were provided to the defense counsel along with a letter dated April 7, 1998 (see Attachment A). Defendant's counsel at the time, José A. Suárez Santa, Esq., acknowledged the receipt of the Jencks material by signing the letter on

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April 8, 1998. The letter clearly indicated that the government was providing the defendant with copies of the grand jury testimony rendered by Special Agent Homero Sanin on September 3, 1997 and March 18, 1997.

4. It should be noted that even though the defendant's counsel name is not included in the addressee list of the April 7, 1998 letter, the signature in the acknowledgment section matches the signature of the defendant's counsel in a Response filed on April 7, 1998, date when José A. Suárez Santa, Esq., first appeared as counsel for the defendant (see Attachment B).

WHEREFORE, the United States respectfully requests that the Demand for Production of Statements, Records and Motion for Disclosure of Grand Jury Material be denied.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 14th day of August, 2007.

ROSA EMILIA RODRIGUEZ-VÉLEZ
United States Attorney

s/ *Myriam Y. Fernandez-Gonzalez*
Myriam Y. Fernández-González
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of August, 2007, I electronically filed the foregoing with the Clerk of the Court, using the regular mail notification of such filing to Tomás Lorenzo Pérez, Reg. No. 16054-069, USP COLEMAN I, U.S. PENITENTIARY, P.O. BOX 1033, COLEMAN, FL 33521.

s/ *Myriam Y. Fernandez-Gonzalez*

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